PATENT
674523-2028

## AMENDMENT

Please amend the application without prejudice, without admission, without surrender of subject matter, and without any intention of creating any estoppel as to equivalents as follows.

**In the Claims**

1-23. (Cancelled)

24. (Previously presented) A retroviral vector particle comprising a packageable retroviral RNA genome which, when in the form of a DNA provirus, comprises:

(i) a 5'LTR comprising an HIV U3 and R region having Tat inducible promoter activity;

(ii) at least one nucleotide sequence (NS) capable of being expressed in a target cell; and

(iii) at least one retroviral polynucleotide response element (PRE) which is responsive to a nucleus to cytoplasm transport factor, wherein the PRE is an HIV RRE;

wherein the NS and the PRE are located within an intron in a transcription unit of the provirus, wherein the intron is flanked by a retroviral splice donor (SD) site and a retroviral splice acceptor (SA) site derived from different retroviruses, wherein said NS is capable of expression in Tat and Rev expressing cells, and NS expression is undetectable in cells not expressing Tat and Rev genes.

25. (Cancelled)

26. (Previously presented) The retroviral vector particle according to claim 24, wherein the polynucleotide response element is responsive to HIV Rev.

27. (Cancelled) The retroviral vector particle according to claim 24, wherein the polynucleotide response element is the Rev response element (RRE) from HIV, or a functional equivalent of the Rev response element from HIV.

28. (Previously presented) The retroviral vector particle according to claim 24, wherein the NS encodes a desired polypeptide.

29. (Previously presented) The retroviral vector particle according to claim 24, wherein the packageable retroviral RNA genome comprises all or a portion of an oncoretroviral genome.

30. (Previously presented) The retroviral vector particle according to claim 29, wherein the oncoretrovirus is a murine leukemia virus (MLV).

31. (Cancelled) The retroviral vector particle according to claim 24, wherein the retroviral polynucleotide response element comprises all or a portion of a lentiviral response element.

32. (Cancelled) The retroviral vector particle according to claim 31, wherein the lentivirus is an HIV virus.

33. (Previously presented) The retroviral vector particle according to claim 24, wherein a packaging signal is contained within the intron in which the NS is located.

34. (Previously presented) A DNA construct encoding a packageable RNA genome for a retroviral vector particle, wherein the retroviral vector particle, when in the form of a DNA provirus, comprises:

(i) a 5'LTR comprising an HIV U3 and R region having Tat inducible promoter activity;

(ii) at least one nucleotide sequence (NS) capable of being expressed in a target cell; and

(iii) at least one retroviral polynucleotide response element (PRE) which is responsive to a nucleus to cytoplasm transport factor, wherein the PRE is an HIV Rev response element (RRE);

wherein the NS and the PRE are located within an intron in a transcription unit of the provirus, wherein the intron is defined by flanking retroviral splice donor (SD) and retroviral splice acceptor (SA) sites derived from different retroviruses,

wherein said NS is capable of expression in Tat and Rev expressing cells, and NS expression is undetectable in cells not expressing Tat and Rev genes; and

wherein the construct is operably linked to a promoter.

35. (Cancelled)

36. (Previously presented) The DNA construct according to claim 34, wherein the NS is absent and the construct comprises an insertion site within the intron containing the PRE at which one or more NS may be inserted.

37. (Currently amended) A DNA construct encoding a packageable RNA genome for a retroviral vector particle, wherein the retroviral vector particle, when in the form of a DNA provirus, comprises:

(i) a 5'LTR comprising an HIV U3 and R region having Tat inducible promoter activity; and

(ii) at least one retroviral polynucleotide response element (PRE) which is responsive to a nucleus to cytoplasm transport factor;

wherein the PRE is an HIV RRE,

wherein the PRE is located within an intron in a transcription unit of the provirus,

wherein the intron is flanked by a retroviral splice donor (SD) site and a retroviral splice acceptor (SA) site derived from different retroviruses,

wherein the construct comprises an insertion site within the intron containing the PRE at which one or more nucleotide sequences (NS) may be inserted; and

wherein the construct is operably linked to a promoter.

38. (Previously presented) A retroviral vector particle production system comprising a host cell transfected with the DNA construct according to claim 34.

39. (Cancelled)

40. (Previously presented) An *in vitro* method for infecting or transducing a target cell with a retroviral vector, the method comprising:

(i) contacting the target cell with the retroviral vector according to claim 24 or claim 37; and

(ii) selecting for a target cell that expresses the NS.

41. (Previously presented) Target cells produced by the method of claim 40.

42. (Previously presented) The retroviral vector particle of claim 24, wherein the SA site is derived from HIV.

43. (Previously presented) The retroviral vector particle of claim 24, wherein the SD site is derived from MLV.